

Inc., will move this Court, at a date and time to be determined by the Court, before the Honorable Eric N. Vitaliano, United States District Judge, at the United States Courthouse for the Eastern District of New York, Brooklyn Courthouse, 225 Cadman Plaza East, Brooklyn, New York, pursuant to Fed. R. Civ. P. 56(a), for summary judgment against plaintiff based on 28 U.S.C. § 1498.

Dated: January 8, 2010

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CERTIFICATE OF SERVICE

I hereby certify that on January 8, 2010 I served the foregoing **CERTAIN DEFENDANTS' NOTICE OF MOTION FOR SUMMARY JUDGMENT BASED ON 28 U.S.C. § 1498** upon counsel for the Plaintiff, via hand delivery and e-mail (PDF version), as well as all other counsel who have entered an appearance in this action via e-mail (PDF version).

/s/ Heidsha Sheldon
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